

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

SIDNEY E. SMITH III, et al., executors)	
of the Estate of Sidney E. Smith, Jr.,)	
)	
Plaintiff,)	Civil Action No. 02-264 Erie
)	
v.)	Hon. Sean J. McLaughlin
)	Hon. Susan Paradise Baxter
UNITED STATES,)	
)	
Defendant.)	

ORDER

AND NOW, this ____ day of _____, 2005, upon consideration of the United States' motion for a new trial, it is ORDERED that:

1. The United States' motion for a new trial is GRANTED;
2. The jury verdict, entered September 28, 2005, and the judgment, entered September 29, 2005, is hereby VACATED; and
3. A new trial shall be commenced on a date to be set by the Court.

UNITED STATES DISTRICT JUDGE

COPIES TO:

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